

April 9, 2004

Operations Division
Western Evaluation Section
Project Manager
Ms. Lisa Gomez
(504) 862-2301

SUBJECT: WHH-20-040-1877

PUBLIC NOTICE

Interested parties are hereby notified that a permit application has been received by the New Orleans District of the U.S. Army Corps of Engineers pursuant to: [X] Section 10 of the Rivers and Harbors Act of March 3, 1899 (30 Stat. 1151; 33 USC 403); and/or [] Section 404 of the Clean Water Act (86 Stat. 816; 33 USC 1344).

VEGETATION REMOVAL FROM BAYOU ROBERT

NAME OF APPLICANT: Martin W. Hickman, 278 Highway 470, Lecompte, Louisiana 71346.

LOCATION OF WORK: South bank of Bayou Robert across from Louisiana State University at Alexandria, Louisiana, in RAPIDES PARISH, as shown on the enclosed drawings.

CHARACTER OF WORK: Dredge to remove vegetative growth from a 5,500 feet long by 20 feet wide section along the south bank of Bayou Robert. Approximately 1,019 cubic yards of native material would be removed via the dredging operation and deposited along the top bank. Project implementation would impact 2.53 acres of jurisdictional wetlands.

The comment period will close 30 days from the date of this public notice advertisement. Written comments, including suggestions for modifications or objections to the proposed work, stating reasons thereof, are being solicited from anyone having interest in this permit request. Letters must reference the applicant's name and the notice number, be addressed and mailed to the letterhead address above, to **ATTENTION: REGULATORY BRANCH.**

Corps of Engineers Permit Criteria

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That

decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

No properties listed in the National Register of Historic Places are near the proposed work. The possibility exists that the proposed work may damage or destroy presently unknown archeological, scientific, prehistorical, or historical sites or data. Copies of this notice are being sent to the State Archeologist and the State Historic Preservation Officer.

Our initial finding is that the proposed work would neither affect any species listed as endangered by the U.S. Department of Interior nor affect any habitat designated as critical to the survival and recovery of any endangered species.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. The applicant's proposal would result in the destruction or alteration of 0.00 acre(s) of EFH utilized by various life stages of red drum and penaeid shrimp.

If the proposed work involves deposits of dredged or fill material into navigable waters, the evaluation of the probable impacts will include the application of guidelines established by the Administrator of the Environmental Protection Agency and certification that the proposed activity will not violate applicable water quality standards will be required from the Department of Environmental Quality, Office of Water Resources before a permit is issued.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

You are requested to communicate the information contained in this notice to any other parties whom you deem likely to have interest in the matter.

**Ronnie W. Duke
Chief, Western Evaluation Section**

Enclosures